IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL MISC. APPLICATION NO. 167 OF 2005

IN

CRIMINAL APPEAL NO. 42 OF 2005

DEEPAK DALVI, PRESENTLY IN CUSTODY AT CENTRAL JAIL, AGUADA AND ANR, ...Applicants

Versus

STATE THROUGH PUBLIC PROSECUTOR ....Respondents

Shri Amey Prabhudessai, Advocate for the Applicants

Shri S.N. Sardessai, P.P. for State/Respondent.

Coram:- N. A. BRITTO, J.

Date:- 14th September, 2005

P.C.:

Heard Shri Prabhudessai, the learned counsel on behalf of the applicants/accused. During the trial of Sessions Case No.40/2004, both the accused were on bail. The applicants/accused have been convicted and sentenced under Section 307 r/w 34 I.P.C. to undergo five years R.I. and to pay a fine of Rs.3000/- each, in default to undergo six months S.I. No exceptional circumstances have been pointed on behalf of the respondent not to suspend the sentence and/or release the accused/applicants on bail. Being so, in my view the sentence imposed upon the applicants/accused shall stand suspended upon the accused executing a Bond in the sum of Rs.10,000/- each with one surety in the like amount to the satisfaction of the learned Addl. Sessions Judge, Margao.